

# *Transmittal*

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**Date:** August 12, 2019

**To:** Joshua Bateman  
Planning Director & Zoning Administrator  
Town of Lovettsville

**From:** Eric E. Zicht, P.E., L.S.  
Zicht & Associates, PLC

**Re:** West End Motors Annexation Request

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Please find the attached:

1. Cover Letter/Annexation Request
2. Statement of Justification
3. Traffic Statement
4. 3 sets Annexation Plat/Concept Plan (6 sheets ea.)

*Zicht* & Associates, PLC

# *Licht* & Associates, PLC

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Professional Engineering, Planning & Land Surveying

August 9, 2019

Joshua Bateman  
Planning Director & Zoning Administrator  
Town of Lovettsville  
PO Box 209  
Lovettsville, VA 20180

RE: Annexation – West End Motors

Dear Mr. Bateman:

On behalf of West End Motors, we are pleased to submit this application for annexation of the Wheeler & Wheeler, Inc. property located on 1.47 acres at the southeast corner of the intersection of Berlin Turnpike (Route 287) and Lutheran Church Road (Route 676) along the southern jurisdictional limits of the Town of Lovettsville in the Catoctin District of Loudoun County, Virginia.

West End Motors operates a small, family-owned business on this tract. Using a local work force, they provide comprehensive automotive services to citizens of Lovettsville and the greater Lovettsville community. Services provided include fueling, inspections, repair, rental and sales of trucks and cars. There is also a small convenience store on this site. Wheeler & Wheeler, Inc. has operated these businesses since 2001, but it appears that predecessors have been providing similar services to the Lovettsville community since at least 1950.

As proposed, the annexation would extend the town limits across Berlin Turnpike from the recently annexed Lovettsville Volunteer Fire & Rescue Company #12 site. The total acreage of the annexation would be approximately 2.5 acres, including the right-of-way in State Route 287.

This annexation would be consistent with and help attain the goals and objectives of the Town of Lovettsville 2011 Comprehensive Plan as last amended May 31, 2018. It would especially advance the Plan's initiatives with regard to economic development and land use. The Lovettsville Planning Commission and Town Council, in particular, designated this property as suitable for annexation by marking it as such on May 4: Land Use Plan in the Comprehensive Plan.

Please note that the C-2 Mixed Use Business District would likely be the most suitable zoning district for this property. The C-2 District permits all of the current uses, including some as conditionally permitted uses.

West End Motors is already a member of the Lovettsville business community. Through annexation, this relationship will grow and the Town will receive income in the form of real estate, business, property, sales and gas taxes. West End Motors will also connect to Town public water and sewer systems, paying connection fees to help fund identified improvements and quarterly fees to help fund operation and maintenance, reducing the burden on residential customers.

In conjunction with any subsequent site improvements, West End Motors also pledges to:

- 1) Relocate the existing street entrance at the intersection of Berlin Turnpike and Lutheran Church Road; and
- 2) Install stormwater management facilities to control spillage at the fueling stations.

We thank you and the Town of Lovettsville for considering our application for annexation and look forward to working with you on this process.

Sincerely,



Eric E. Zicht, P.S., L.S.

**STATEMENT OF JUSTIFICATION  
WEST END MOTORS  
Annexation Application  
August 5, 2019**

**REQUEST:**

Wheeler & Wheeler, Inc. requests that the Town of Lovettsville amend its corporate limits to annex their 1.4715-acre parcel (#371-49-5463) on the southeast corner of the Berlin Turnpike (Route 287) and Lutheran Church Road (Route 676).

**LOCATION:**

The subject property lies just outside the corporate limits of the Town of Lovettsville on the southeast corner of the Berlin Turnpike and Lutheran Church Road. The property sits opposite the Villas of Lovettsville senior housing complex on the northwest corner, and immediately across the Berlin Turnpike from the Lovettsville Volunteer Fire & Rescue Company, Station 12 on the southwest corner. The fire station property was annexed less than a year ago – November 29, 2018 (Instrument #20181129-0044598). Including portions of the Berlin Turnpike, the annexed area would total 2.0153 acres.

**WEST END MOTORS:**

West End Motors is a business providing comprehensive automotive services to the greater Lovettsville community. These services include fueling, inspections, repairs, sales and rentals of cars and trucks. The business also includes retail sales in the form of a convenience store. These businesses have operated on this site in some form for over 70 years. Wheeler & Wheeler, Inc. purchased the site and has operated the businesses since 2001.

**2011 COMPREHENSIVE PLAN:**

Annexation of West End Motors is consistent with and would help realize the goals and objectives of the Town of Lovettsville's Comprehensive Plan as amended May 31, 2018. In fact, this annexation was specifically identified and recommended in the Plan, and is depicted as "Potential Extraterritorial Develop Areas – Area 2" on Map 4: Land Use Plan.

**1. LONG-RANGE VISION FOR THE TOWN:**

Annexation of West End Motors would help expand businesses, services and public infrastructure and promoting economic development" as identified in the Long-Range Vision for the Town (page 4). "The Town desires to support local businesses that can best thrive by marketing to the local and larger community as well as pass-through traffic, including bed and breakfast inns, restaurants, retail stores, professional offices, personal services establishments, and agricultural-based businesses." (page 5).

Goal 3 (page 5) is to "Accommodate small businesses within the Town, including those that sell locally-sourced products and services." West End Motors is a small community-oriented business, owned by a local family with a locally based workforce providing services to the local and larger community as well as pass-through traffic. This business plays a key role in goal 7, "Create a balanced transportation network providing facilities

for vehicles....” (page 6). Having been established for over 70 years, it could even be argued that it will promote goal 2 “Preserve and promote the historic resources and unique cultural heritage of the Town.”

2. HISTORIC RESOURCES:

West End Motors and this proposed annexation will have no impact on historic resources, unless it is to maintain a 70+ year old, small town gas and service station.

3. ENVIRONMENT:

West End Motors and this proposed annexation will have no significant impact on the environment. The applicant agrees to provide containment/treatment for gas spills in the fueling area around the gas pumps as part of any future site plan.

4. PUBLIC FACILITIES AND UTILITIES:

West End Motors agrees to connect to Town of Lovettsville public water and sewer systems. This represents a significant expense to the applicant, both in terms of availability and connection fees, and quarterly service charges that he does not experience with the current private well and septic system. The applicant also faces significant expense in extending these public utilities from opposite Harpers Mill Way, the entrance to the Villas at Lovettsville senior community, and across the Berlin Turnpike (consistent with policy 3 on page 27).

The Town and applicant are working on a water and sewer agreement to establish terms for the required improvements and services. The Town has sufficient capacity to provide these services. The availability fee will help fund improvements in the utility system, and the quarterly fees will help keep the systems sustainable and fiscally sound.

West End Motors will have little effect on other public facilities, other than helping fund these services through real estate, property, sales and gas taxes.

5. ECONOMIC DEVELOPMENT:

It is with respect to economic development that annexation of West End Motors would do most to achieve the goals and objectives of the Lovettsville Comprehensive Plan. The opening sentence of this section (page 29) reads:

“Developing the economic base of Lovettsville, which is defined as the local businesses and industries which produce and distribute goods and services for export outside the local region, is essential to planning for the Town’s future.”

That paragraph goes on to endorse “Expanding the Town’s economic base, diversifying the businesses located in Lovettsville....” West End Motors is a very diverse, locally owned business providing necessary services to local residents, and jobs for local employees. The annexation will expand the Town’s current 13 acres of commercial uses by more than 10%.

The annexation of West End Motors is consistent with the first goal for economic development:

1. “Promote the establishment of a variety of commercial and light industrial businesses of various sizes, which serve Town and area residents and provide job opportunities, in planned commercial and industrial areas as depicted on the land use plan map.” (page 38)

It is also consistent with policies #2 and especially #24:

2. “Promote a mixture of commercial and/or light industrial uses on sites where indicated on the land use plan map at a scale consistent with that of surrounding areas and neighborhoods.” (page 38)
24. “Seek opportunities to annex properties to allow for further commercial, light industrial, and office developments in support of economic growth and revenue expansion.” (page 41)

6. LAND USE:

According to Table 5 (page 48) in the Comprehensive Plan, there are only 11 vacant commercial/industrial tracts of land in Lovettsville. One of these is the Engle tract, for which a rezoning to largely residential uses is being considered. Consequently, an issue and future need has been identified to study whether sufficient land remains in the Town limits to support growth and enable economic development including new retail businesses, in Lovettsville; or whether the Town should consider annexing property located outside the Town limits (#1, page 50). Consequently, the Town adopted land use policy #18:

18. “Coordinate with Loudoun County to adjust the Town boundary in order to bring entirely into the Town or County certain parcels and/or developments that presently straddle the Town and County if the proposed boundary adjustment is consistent in all respects with the adopted Town annexation policy.” (page 54)

and included a recommendation to consider annexing Area 2; shown as General Commercial, on Map 4: Land Use Plan.

7. TRANSPORTATION:

West End Motors is located on the Berlin Turnpike, the principal road through Lovettsville with about 7,800 average daily trips; at Lutheran Church Road. There currently is one entrance on Berlin Turnpike, two entrances on Lutheran Church Road, and another entrance at the intersection of these roads. The applicant proposes to close the entrance at the intersection, and move one entrance on Lutheran Church Road to provide better access to the gas pumps. Both roads are anticipated to retain rural sections, with shoulders and ditches rather than curb and gutter and storm sewer. Parking on-site is adequate – there is no on-street or off-site parking associated with West End Motors.

## **ZONING:**

The West End Motors property is currently zoned AR-1 Agricultural-Rural 1 by Loudoun County. Virtually none of the current uses of the property are permitted in this zoning district. Instead, they are considered as vested, legal non-conforming uses by virtue of their long-standing use, pre-dating zoning in Loudoun County.

When annexed by the Town of Lovettsville, the property will be zoned in accordance with the Town's CRA-1 Commercial and Residential Annexation District. Most of the uses will still not conform with the uses permitted in that district. They will retain their vested, legal non-conforming classification.

The Wheeler's would like to be re-zoned to the C-2 Mixed Use Business District, which would better reflect past and current uses as follows:

(b) Permitted uses.

- (1) Auto parts
- (31) Retail sales establishment, including the following:
  - d. Auto parts
  - i. Delicatessen
  - l. Food store
  - n. Gift shop and jewelry store
  - aa. Convenience store without fuel sales

(c) Conditionally permitted uses.

- (2) Convenience stores with fuel sales
- (4) Auto repair shops
- (5) Retail sales and/or service with outdoor storage and/or display

These last uses also require a conditional use permit.

## **FINANCIAL:**

Once annexed, West End Motors will pay substantial taxes to the Town of Lovettsville, while requiring minimal services. Commercial enterprises such as West End Motors typically place higher demands on police and fire services than residents, but use less of other services. The Town of Lovettsville will benefit from West End Motors payments of real estate taxes, BPOL business taxes, personal property taxes, sales taxes, and gas taxes.

## **SUMMARY:**

West End Motors is a member of the Lovettsville community. They are a locally owned small family business employing a local workforce. They and their predecessors have provided a diverse range of automotive services to the greater Lovettsville community for over 70 years.

Annexation will be good for both West End Motors and the Town of Lovettsville. Being officially part of the Town will allow West End Motors to grow closer to the community. Annexation will help develop the Town's economic base and generate taxes to help offset

the costs of residential services. West End Motors will connect to Town water and sewer services, helping generate funding for necessary improvements.

Annexation is also consistent with the Town of Lovettsville 2011 Comprehensive Plan, as amended in May of 2018. Annexation of this commercial property was specifically identified on Map 4: Land Use Plan, therein.





**Legend**

TOWN LIMITS

PARCELS

**Land Use Plan**

Town Center Commercial

General Commercial

Old Town Mixed-Use

Office Commercial

Highway Mixed-Use

Light Industrial

Commercial Transitional

Low Density Residential

Medium Density Residential

High Density Residential

Public/Governmental/Civic

Public Park

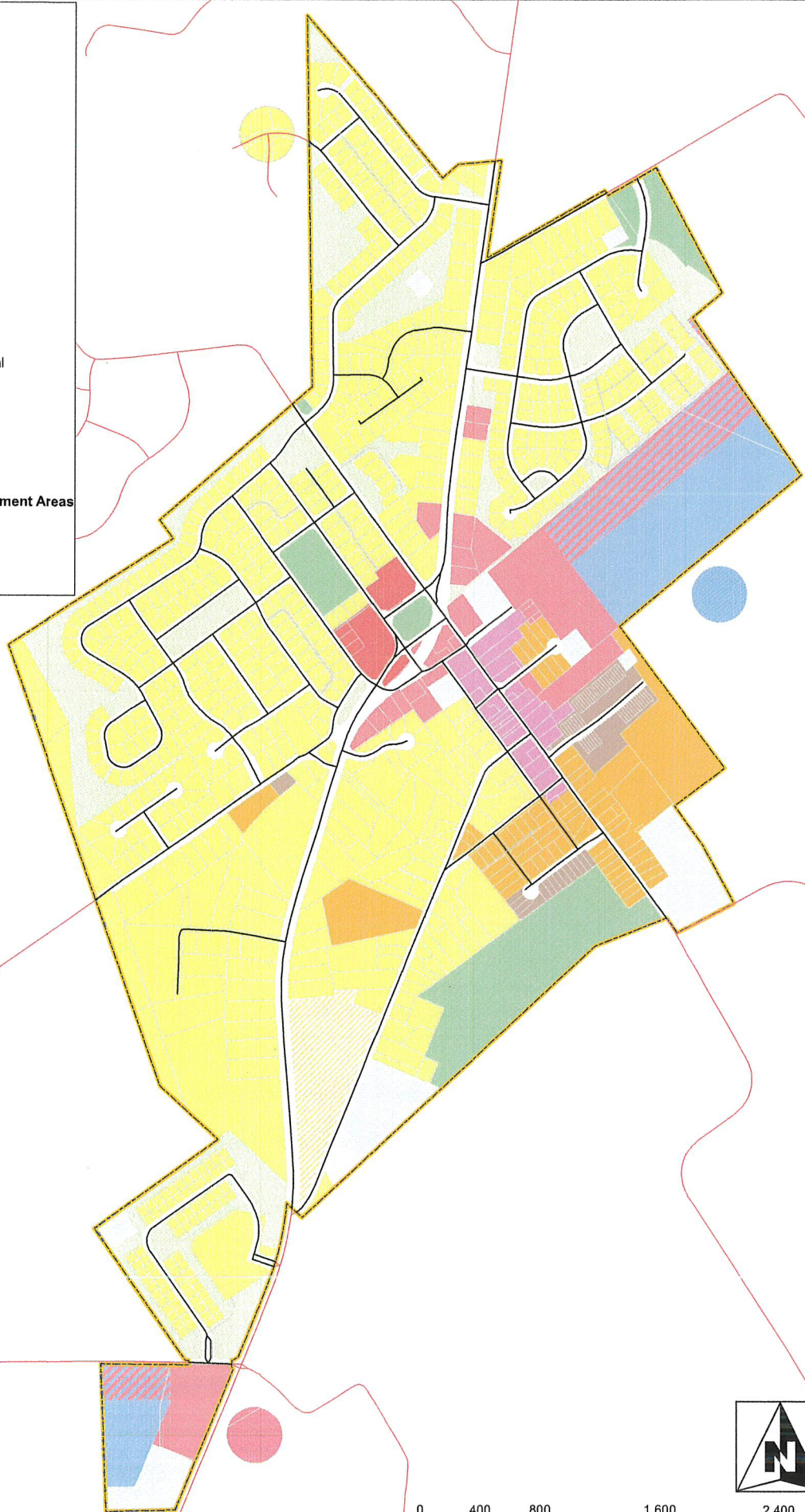
Open Space (Private)

**Potential Extraterritorial Development Areas**

AREA 1

AREA 2

AREA 3



**TRAFFIC STATEMENT  
WEST END MOTORS  
Annexation Application  
August 5, 2019**

**PROJECT DESCRIPTION:**

West End Motors desires to be annexed by the Town of Lovettsville. The annexation will have little effect on traffic. There is little room for expansion on the West End Motors site. Any increase in traffic would be associated with attracting more Lovettsville customers to use the existing facilities and services.

As part of the next round of site improvements, West End Motors agrees to relocate the existing entrance at the intersection of the Berlin Turnpike and Lutheran Church Road approximately 70 feet east on Lutheran Church Road, and to narrow the current entrance on Lutheran Church Road.

The minimal growth in traffic from West End Motors will not impact the adjacent road network. The relocation of the entrance at a street intersection and the narrowing of the entrance on Lutheran Church Road will improve traffic flow and enhance safety.

**PROPERTY DESCRIPTION:**

West End Motors is owned by Wheeler & Wheeler, Inc., a small family business managed by Ashley Wheeler. They are located on 1.47 acres at 12842 Berlin Turnpike (Route 287) on the southeast corner of the Lutheran Church Road (Rt. 676) intersection. The recently annexed site of the Lovettsville Volunteer Fire & Rescue Company, Station 12 is located just across Berlin Turnpike.

**WEST END MOTORS:**

West End Motors provides comprehensive automotive services to citizens of Lovettsville and the greater Lovettsville community. These services include fueling, inspections, maintenance and repairs, and rental and sales of cars and trucks. A convenience retail store is associated with the fueling and service functions.

**EXISTING CONDITIONS:**

Berlin Turnpike (Rt. 287)

Berlin Turnpike is an undivided, 2-lane, rural collector roadway with 10' (+/-) paved lanes in an 80-foot right-of-way with a rural shoulder and ditch section. According to VDOT 2017 traffic counts, this section of roadway carried 7,600 vehicle trips per day (vpd), 97% of which were 2- or 4-wheeled vehicles. The peaking factor (k) was 0.0788, meaning peak hour volume was approximately 592 vehicles per hour. The directional factor (d) was 0.7178, meaning traffic was split 72%-28% northbound-southbound at peak hours depending on the principal direction of commuting.

Lutheran Church Road (Rt. 676)

Lutheran Church Road is an undivided 2-lane rural local roadway with 8' (+/-) paved lanes in a 30-foot prescriptive easement with a rural shoulder and ditch section. According to 2017 traffic

counts by VDOT, the adjoining section of Lutheran Church Road carries 210 vpd. No peaking or directional factors were provided, but such are not considered important on such low-volume roads. Nevertheless, peaking factors on such roads are typically 0.10-0.11, or about 21 to 23 vehicle trips per hour (vph) in this case. The direction split likely reflects that for Berlin Turnpike.

#### West End Motors

West End Motors currently has three commercial entrances; one on Berlin Turnpike, one on Lutheran Church Road, and one opening onto the intersection these two roads. All appear to be operating in a satisfactory manner, although having an entrance at an intersection is generally undesirable. The entrance on Lutheran Church Road is very wide, approximately 95 feet, and really acts as two entrances.

No traffic study has been conducted and no traffic counts are available for West End Motors. Using the accepted Institute of Traffic Engineers methodology, West End Motors would be anticipated to generate 775 vehicle trips per day. This would account for more than 10% of the trips on Berlin Turnpike, a major collector highway carrying predominantly through traffic. Per the ITE methodology, most of the traffic generated (84%) is attributed to the fuel pumps associated with a convenience store. One of the fuel pumps, however, is a diesel pump for which usage is low, and the standard deviation of the ITE traffic rates is 68.16, meaning the rates are not reliable. Cases used to generate ITE reported rates varying from 90.67 to 299.50 for average daily weekday traffic. At West End Motors, a traffic generation rate at the low end of the range appears to better reflect actual conditions.

#### **PROJECTED CONDITIONS:**

West End Motors has little room for expansion. Consequently, only a minor increase in traffic is anticipated, based on growing clientele from the Lovettsville community and through-traffic, and more efficient use of existing facilities.

West End Motors does propose to improve the current entrances:

- 1) The entrance at the intersection of Berlin Turnpike and Lutheran Church Road will be shifted onto Lutheran Church Road to serve the gas pumps.
- 2) The wide entrance further east on Lutheran Church Road will be narrowed and better defined.

This should enhance entrance performance and improve traffic flow and safety.

Development associated with the new Fire & Rescue Station will also improve traffic conditions in the vicinity. They propose moving the existing entrance on Berlin Turnpike 170 feet further south, away from Lutheran Church Road, and about 130 feet south of the entrance to West End Motors. This will reduce the conflicts between these two entrances. The existing fire and rescue station will be converted to commercial use; with the new fire station and all its emergency services traffic another 335 feet to the south.

Neither VDOT, Loudoun County nor the Town of Lovettsville have any plans to improve the subject sections of Berlin Turnpike or Lutheran Church Road; nor have they identified any need to improve these streets.

**CONCLUSION:**

Traffic conditions on Berlin Turnpike and Lutheran Church Road in the vicinity of West End Motors are acceptable and there are no plans or need for improvements to these roads. The applicant has agreed to remove the entrance at the intersection of these roads, which should improve traffic flow and safety. The other three entrances, one to be relocated, should continue to function well as little increase in traffic is projected.